

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 08-cr-19-PB

Anthony Seward

O R D E R

Defendant's motion to withdraw his guilty plea contains no new information that causes me to question my prior determination that he acted knowingly, voluntarily, and intelligently when he entered his guilty plea. Defendant's contention that he should be allowed to withdraw his plea because there is insufficient evidence to support a conclusion that he possessed crack cocaine with the intent to distribute is meritless. There is abundant evidence in the record to support this element of the charge as is evidenced by the government's proffer when the guilty plea was entered. There is also no basis in the record for any potential claim that counsel provided ineffective assistance when he advised the defendant to plead guilty. In short, there is no fair and just reason for the defendant's request to withdraw his plea.

The Motion to Withdraw Plea of Guilty and to Remove Counsel
(Doc. No. 60) is denied.

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

January 5, 2010

cc: Michael Ramsdell, Esq.
Debra Walsh, Esq.
United States Probation
United States Marshal